

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**FESTUS OLUSHOLA OMOTOYO,  
#75887824,**

**Petitioner,**

**v.**

**MICHAEL CHERTOFF, Secretary,  
Department of Homeland Security,  
Respondent.**

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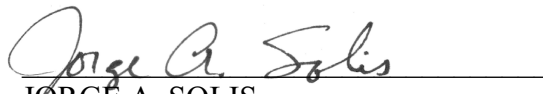
**3:05-CV-2093-P  
ECF**

**ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions and a recommendation in this case. No objections were filed. The District Court reviewed the proposed findings, conclusions and recommendation for plain error. Finding none, the Court ACCEPTS the Findings, Conclusions and Recommendation of the United States Magistrate Judge.

It is further ORDERED that Respondent's initial motion to dismiss, filed on January 11, 2006 (docket #15) is DENIED as moot.

SO ORDERED this 27<sup>th</sup> day of March 2006.

  
JORGE A. SOLIS  
UNITED STATES DISTRICT JUDGE